

**GOVERNOR'S COUNCIL ON DISABILITIES  
AND SPECIAL EDUCATION**

**QUARTERLY MEETING MINUTES**

**January 31 – February 2, 2017  
Juneau, Alaska**

**Council Members Present:**

Jill Burkert  
John Cannon  
Anthony Cravalho  
Sandra DeHart-Mayor  
Art Delaune  
Don Enoch  
Cassidy Jones  
Tamara Douglas for Dave Fleurant  
Dean Gates  
Jeanne Gerhardt-Cyrus  
Mallory Hamilton  
Maureen Harwood  
Alexis Henning  
Elizabeth Joseph  
Christine King  
David Kohler  
Margaret Kossler  
Sara Kveum  
Banarsi Lal - telephonic  
Lelia (Lucy) Odden  
Amy Simpson – Chair  
Shelly Vendetti-Vuckovich  
Maggie Winston

**Council Staff:**

Patrick Reinhart, Executive Director  
Kristin Vandagriff, Planner  
Christie Reinhardt, Program Coordinator II  
Ric Nelson, Program Coordinator I  
Lanny Mommson, Acting Research Analyst III  
Barbara Allen, Administrative Assistant II  
Ian Miner, Office Assistant II

CART Provided by Lenny DiPaolo, Peninsula Reporting  
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

**Tuesday, January 31, 2017**

**CALL TO ORDER/ROLL CALL – 8:30 a.m.**

**Chair Simpson** welcomed Council members to the meeting, and after roll call was taken, Council members and guests introduced themselves.

**APPROVAL OF THE AGENDA**

**Lucy Odden MOVED** to approve the agenda, **SECONDED** by **Shelly Vendetti-Vuckovich**. Hearing no objections, the motion **PASSED**.

**APPROVAL OF THE MINUTES FROM THE OCTOBER 2016 MEETING**

**John Cannon MOVED** to approve the October 2016 minutes as presented, **SECONDED** by **Alexis Henning**. Hearing no objection, the motion **PASSED**.

**CONFLICT OF INTEREST DECLARATIONS**

No Council members had conflicts of interest to declare at this time.

**CHAIR'S REPORT AND COMMITTEE ASSIGNMENTS**

**Chair Simpson** announced the newly appointed Council members **Representative Charisse Millett** and **Anna Attla**.

**Chair Simpson** asked Council members to consider their current committee assignments and encouraged their participation in committee meetings.

**Chair Simpson** stated that **Patrick Reinhart's** executive director evaluation has been completed, and his retention as executive director was recommended.

**EXECUTIVE DIRECTOR'S REPORT**

**Patrick Reinhart** reported to the Council as follows:

**Staff Update/Changes**

- Research analyst II position closed
- Program coordinator II position open
- All positions funded in FY'18 except non-perm health program manager I.

**State Plan Update and Reporting**

- Council Five-Year State Plan for 2017 – 2021, amendment due August of 2017, and that will be the May Council meeting focus.
- Federal DD Council Program Performance Report was submitted December 2016.

### Congressional Visit

Senator Murkowski visited the Council offices for a successful visit, and the Council will continue to invite members of the Congressional delegation to the office to meet and discuss the current issues.

### DD System Assessment

Developed a shared vision and values statement.

- Significant stakeholder outreach through surveys, community forums, and webinars
- Infographic booklet created
- Consistent, broad system message going into this session.

*Shared vision: Alaskans share a vision of a flexible system in which each person directs their own supports, based on their strengths and abilities, toward a meaningful life in their home, their job, and their community. Our vision includes supported families, professional staff, and services available throughout the state now and into the future.*

**Patrick Reinhart** then shared the SDS continuum of care infographic with Council members noting that this infographic will be used extensively in educating the legislature about the cost effectiveness of home and community-based services.

### FY'17 Budget Impact

- FY'17 GF cuts - \$26 million to Medicaid waiver costs had to be absorbed by SDS across all waivers. Efforts of SDS workgroups along with stakeholders addressed:
  - Enabling technologies such as smart homes and assistive technology
  - Transportation
  - Residential Services
  - Greater scrutiny of care plans across the board.
- Results of these efforts have resulted in:
  - \$50,000 in continued GF funding to the Council for ILP professional development.
  - Even with the reduction in the draws from the Developmental Disability Registry and Review (DDRR) from 200 per year to 50 per year, the number of people on the waitlist was 520, with 25% having a score of zero. This is the lowest it's been in more than a decade.
  - Council has had to absorb some administrative costs for the Department of Health and Social Services through increased costs of things like accounting and human resources.

### Overview of FY'17 Capital Budget Impact

- \$1,000,000 (UGF) public and community transportation state match was in the Governor's budget, then removed by the legislature, and then put back in and kept.
- \$1,050,000 (\$800,000 UGF/\$250,000 MHTAAR) coordinated transportation funding.
- No change from FY'17 to FY'18 as of right now.

### Overview of FY'17 Operating Budget Impact

- Early Intervention/Infant Learning Programs (EI/ILP), \$10,041,700 (\$1,859,100 fed, \$758,100 I/A receipts, \$7,425,500 GF/MH)
  - Serves children 0 – 3 with developmental delays with a 50% delay or more.
  - Provides specialized services for infants and toddlers to increase functional abilities.
  - Transfer from OCS to SDS went smoothly, and SDS is doing a great job managing the program.
  - GF/MH funding is high risk, but federal maintenance of effort requirements could mitigate this.
  - Council provides \$247,000 of GF/MH to SDS for professional development to support highly trained workforce in this critical area.
- Community Developmental Disabilities Grants (CDDG) – current year \$13,100,000 (\$57,800 I/A receipts, \$12,500,000 GF/MH)
  - FY'18 – reduction of \$5,800,000 to \$7,300,000 and complete elimination of the grant program by January 2018.
  - Amount in the budget is a prorated amount to carry the program to this date.
  - SDS is working on a new 1915(c) supports waiver that would replace the program.
  - 78% of people in this program are Medicaid eligible.
  - 20% of people are undetermined.
  - 2% of people are over resourced.
  - 66 people do not have an active determination of a developmental disability, a requirement of the program.
- Governor's Council on Disabilities and Special Education - \$2,146,100 (\$353,900 I/A receipts, \$272,000 GF/MH, \$525,600 MHTAAR)
  - \$100,000 decrement in MHTAAR from BEE initiative as the Trust will direct fund some of the components listed in the GCDSE budget.
  - \$272,000 GF/MH is a pass-through to the ILP program for professional development.
  - \$150,000 is MHTAAR pass-through for the Microenterprise Program.
  - Losing one of nine positions at the end of this year.
  - \$360,000 annual federal employment grant ends on September 30<sup>th</sup>, but the Council saved enough over five years to get a full one-year, no-cost extension through 9/30/18.

### Alaska Mobility Coalition (AMC) Update

- Membership funding coming in.
- Contract with the SILC for administrative support.
- Contract with John Kern as the executive director.
- \$1 million in state match funding.
- Cadre of experts for training.
- Volunteer program for non-emergency medical transportation.

### Housing and Transportation

- Initial feedback was given on the Municipality of Anchorage's draft disability and access

section of the Assessment to Fair Housing Plan. There will be an additional comment opportunity in February.

- Working with the municipal transportation inspector on increasing the amount of accessible taxicabs.

#### Upcoming Priorities

- DD system assessment next steps
- Legislative priority follow up
- Monitor new legislation
- Key Coalition's Key Campaign
- ABLE and DB 101 implementation
- State Plan public version
- State Plan amendment process

#### Upcoming Meetings and Events

- Inclusive Practice Award February 7
- Key Campaign, March 2 – 3
- National Disability Policy Seminar, March 20 – 22
- Full Lives Conference, March 22 – 23, also Direct Service Awards
- Wrightslaw Training, March 23 – 24
- Reuse of durable medical equipment and assistive technology regulations are out
- Disability rights activist Judy Heumann, May 17 – 19 for SHRM Conference and more.

### **BUSINESS**

#### **Council Purpose and How We Conduct Business**

**Patrick Reinhart** reminded Council members of their roles for this Juneau meeting, and particularly how they need to conduct themselves during visits with legislators. He reminded Council members to be on time for their legislative appointments and to be sure to state the Council's position on issues if an official position has been taken. Council members should refrain from stating their own positions on issues while they are in Juneau representing the Governor's Council. If a Council member is unsure of how to respond to a legislator's question, they were instructed to take good notes and bring the question back to staff or the chair for them to follow up. He also reminded Council members of their obligations under the Open Meetings Act to not discuss Council business in a social gathering of Council members.

#### **Annual Report**

**Kristin Vandagriff** directed Council members to the electronic version of the annual report and noted that it will be included in the legislative packets that will be distributed to the Council members. She noted that this annual report will be an asset to Council members during their legislative visits as it contains useful infographics for a visual education for legislators as well as detailed information about State Plan goals and state and national advocacy and leadership successes.

## **New Business from the Floor**

**Dean Gates** noted that he has been in conversations with another deaf citizen who has been interested in advocating for text to 911 accessibility. He is hoping that this issue can be added to future Council priorities. **Chair Simpson** and **Patrick Reinhart** suggested putting this as an item for the DD Committee to become educated about this issue.

## **DEVELOPMENTAL DISABILITY COMMITTEE REPORT**

**Jeanne Gerhardt-Cyrus** stated that a lot of the information regarding activities of the DD Committee was provided in the Executive Director's report, and she provided an additional report for the DD Committee as follows:

### **Accomplishments Since October 2016**

- DD system assessment project
- SDS comment letter on four Medicaid HCBS waivers and State Plan amendments for CMS
- NACDD/ITACC Diversity, Inclusion, and Cultural and Linguistic Competence Workgroup.

### **Upcoming Activities**

- Follow and monitor the Home and Community-Based Services Transition Plan for the State of Alaska
- CMS issues guidance to states on Community First Choice (1915(k))
- Durable medical equipment regulations
- Attend and participate in Key Campaign
- DD system assessment project – continued work with Trust and other partners
- Follow and monitor SB 10 – Adult foster care for disabled, Medicaid.

## **FASD WORKGROUP REPORT**

**Jeanne Gerhardt-Cyrus** gave the report for the FASD Workgroup as follows:

### **Activities**

- Continuing advocacy on funding through Medicaid expansion and reform.
- FASD is now part of the Council's Five-Year Plan as a targeted disparity area. The Workgroup reviewed the disparity language and is involved in developing the action steps and advocacy.
- The Council is taking the lead on the development of a comprehensive, collaborative statewide Five-Year Plan. The partners have been named, and they are looking for a champion. They are currently locating the right facilitator and have begun the prep work for the plan to be developed by summer.

## **MEDICAID AD HOC COMMITTEE**

**Dean Gates** provided the report for the Medicaid Ad Hoc Committee as follows:

### **Recent Activities**

- Alaska Transition Plan to CMS – Updated by SDS on the Integrated Settings Rule
- Participated in SDS Technology Group
- Submitted public comment on the four SDS waiver application amendments
- Call with New York state staff to discuss the interRAI assessment tool
- Developed interRAI questions to guide future discussions and comments.

### **Upcoming Activities**

- Continued public comments on Medicaid regulation proposals
- interRAI discussions and comment
- Monitor changes to SDS policies, procedures, and forms for the Medicaid program.

## **EARLY INTERVENTION COMMITTEE REPORT**

**Sandra DeHart-Mayor** provided the Early Intervention Committee report as follows:

### **Activities Since October**

- ILP Coordinators Conference
- Update on Program for Infants and Children's Telepractice Partnership
- LEND fellows project on childcare
- Zero to Three Conference
- Review of 2015 Family Outcomes Survey
- Presentation on State Performance Plan/Annual Performance Report.
- Letter to Alaska Early Intervention/Infant Learning Program and to the Governor
- Training on the Council's role as the Interagency Coordinating Council.

### **Upcoming Activities**

- State Systemic Improvement Plan (SSIP) Phase III
- Review of Infant Learning funding
- Research who is doing developmental screenings
- Early Childhood Summit
- Participate in multiple partnerships, committees, and learning opportunities.

## **EMPLOYMENT AND TRANSPORTATION COMMITTEE REPORT**

**Lucy Odden** gave the report for the Employment and Transportation Committee as follows:

### **Recent Activities**

- AIEI federal grant work – grant is coming to a close and has merged with the Council's Employment and Transportation Committee. Advisory board meeting was held in November, and they completed a final employment services guide for people with

developmental disabilities.

- AIEI Alaska case study was developed in partnership with the UAA Center for Human Development and will be published in the Journal of Vocational Rehabilitation.
- Employment First work and Alaska APSE collaboration – Take Your Legislator to Work Day, keynote speaker at the Full Lives Conference, and Certified Support Professional exams.
- Work with representatives from DHSS, DOLWD, and DEED on Employment First reporting to the Trust.
- New websites launched: Disability Benefits 101 and the Alaska ABLE Plan.

### **Upcoming Activities**

- Employment First Job Fair
- Alaska State Special Education Conference
- Full Lives Conference
- Continued community outreach for DB 101 and Alaska ABLE Program
- Project SEARCH expansion in Juneau and Anchorage
- “Bottom Dollars” documentary showings with Disability Law Center of Alaska
- Annual Partnerships in Employment Meeting in D.C. in March
- AIEI grant sixth year no-cost extension request
- AIEI semiannual reporting in April.

### **EDUCATION COMMITTEE**

**David Kohler** gave the report for the Education Committee as follows:

### **Recent Activities**

- Discipline Workgroup
- Alaska Assessment Workgroup
- ACT presentation and discussion
- Behavior program changes in the Anchorage School District
- Special Education Annual Performance Report stakeholder meeting
- Comments to the National Association of Councils on Developmental Disabilities on recent court cases
- Comments for Senator Murkowski and consortium for Citizens with Disabilities on the Betsy DeVos nomination for Secretary of Education
- Review of the role of the Special Education Advisory Panel.

### **Upcoming Activities**

- Inclusive Practice Award 2017
- Alaska State Special Education Conference
- Diploma Workgroup
- Continued involvement in Alaska’s Every Student Succeeds Act (ESSA) development
- Other collaborative efforts.



## **AUTISM AD HOC COMMITTEE REPORT**

**Jill Burkert** gave the report for the Autism Ad Hoc Committee as follows:

### **October 4<sup>th</sup> Meeting**

Autism Stakeholders Strategic Planning Session 5

- Screening and diagnosis report
- Introduction to Project ECHO
- Update on Applied Behavioral Analysis and Behavioral Health
- Medicaid Reform and coordinated systems of care
- Help Me Grow
- Family Navigation
- Kenai school teams' evaluations
- Capacity Building for Autism Interventions (CBAI)
- Annual update of the Five-Year Plan.

### **Upcoming Activities**

- Help Me Grow rollout
- Comment on Early Periodic Screening, Detection, and Treatment (EPSDT) regulations
- First Family Navigation cohort.
- May meeting date.

## **ASPEN REPORT**

**Lanny Mommsen** gave the report for the ASPEN project as follows:

### **Statewide Committee:**

- CHD – Christine King, Karen Heath, Rebekah Moras
- ANDVSA – Ariel Herman
- SILC – Heidi Frost

### **Focus Community Committee:**

- Developmental disability agency
- Domestic violence/sexual assault shelter
- Independent Living Center
- Tribal organization.

### **Activities – FY'17 Community:**

- Contracts sent out and signed
- Needs assessment completed with focus groups, key informant interviews, and a policy and procedure review.

### **Upcoming Activities:**

- Needs assessment unveil

- Strategic planning day
- Technical assistance and training.

## **DISCUSSION OF LEGISLATIVE AGENDA AND POSITION PAPERS**

**Patrick Reinhart** began the discussion with Council members regarding the legislative agenda and position papers by directing them to their legislative packets and reviewing the materials contained inside. He commented that with 25 percent of the legislature being new this year, there will be a lot of educating about home and community-based services that will need to be done by the Council.

**Art Delaune** reviewed the following priorities for the Council this legislative session as follows:

### **HB 16 – Disability Training and Identification Bill**

**Art Delaune** explained that HB 16/SB 42 is exactly the same legislation as it was last year as HB 77. The bill continues to have three major components as follows:

1. Training at the academy level for law enforcement officers in the state of Alaska to be aware of disabilities and how to better interact with those individuals.
2. A public training component to educate the public on how to interact appropriately with law enforcement officers. A part of this bill is to put into the driver's license manual information on what to do when interacting with police officers, and a couple of questions will be contained on the test.
3. A voluntary option to put a discrete marker on one's driver's license so that police officers can identify when the person has a hidden disability so they can properly interact with them.

**Art Delaune** explained that because there is no fiscal note attached to this legislation, it may pass over the Finance Committee and go straight to the House Rules Committee, which would schedule it on the House floor for a vote.

Council members discussed strategies they can use when talking to legislators regarding this bill.

### **SB 10 – Adult Foster Care**

**Art Delaune** explained that this issue came to light just recently that there are individuals in the foster care system under OCS that have developmental disabilities and complex medical needs that are aging out of foster care. What this bill is requiring is that as these young people age out of foster care, there is a smooth transition over to an adult system that will provide the same care the child is currently receiving within the same family they've been living with.

**Patrick Reinhart** further explained that in Alaska's foster care system, there are families that have taken on these children with very complex medical needs, and a lot of times they end up taking on that child for their whole childhood. As the child turns 18, the foster parents need to make a decision to either adopt the child or take their foster care license and try to then become

an assisted living license structure, which does not always work for the family home because of the requirements of assisted-living home licenses. Senator Dunleavy has put forward SB 10 in the hopes of streamlining the system so that these foster parents can continue to care for the same child. The Legislative Committee of the Council stated that the Council would support this concept, but there may be a different way to streamline the process.

**Art Delaune** also noted that there are some current issues with the way the bill is worded, and there are some questions regarding the lack of a fiscal note attached to this legislation, but overall the Council supports the concept.

### **GCDSE/SILC Revenue Resolution**

**Art Delaune** stated that the Governor's Council and the SILC developed a revenue resolution asking the legislators to give some consideration to Alaska's most vulnerable populations when developing a long-term fiscal solution. The important concept to keep in mind with this resolution is that home and community-based services need to be maintained within the budget.

### **Community Developmental Disability Grant (CDDG) Refinancing**

**Art Delaune** stated that the concept behind this position paper is that the Council supports the idea of trying to move as many of the people that are now receiving these CDDG grant services onto a 1915(c) limited supports waiver. Currently the CDDG grants are 100 percent state general funds. Moving people from this grant over onto the limited supports waiver allows the State to then receive a 50 percent federal match.

**Patrick Reinhart** added that the Governor's proposed budget already contains this cut of state-funded services, because there is a plan in place for SDS to try to refinance this program under the 1915 (c) supports waiver. He also noted that it would be an important point to make with the legislators that in this time of fiscal crisis, the State would see a very large cost savings in refinancing this program. Patrick further noted there will still be funding in place for people that do not qualify for this supports waiver, so there will still need to be some kind of level of state-funded services.

Duane Mayes stated that with SB 74, the State has been looking at two particular options, the 1915 (k) State Plan Option to refinance individuals that meet institutional level of care through the PCA program; and the 1915 (i) option, which has a threshold of less than institutional level of care. The State explored refinancing the CDDG grant program with the 1915 (i) option, but there was no way to remain budget neutral by doing so. The limited supports waiver the State is looking into allows them to create a cap and a wait list so they can manage what they have and remain budget neutral. Duane noted that the division has appreciated going through this CDDG program and doing some housekeeping types of things to clean up the system. He also stated that as of right now, they anticipate there will be less than 10 percent of people currently receiving CDDG grants that won't qualify for the supports waiver.

## **Alaska ABLE Program**

**Kristin Vandagriff** directed Council members' attention to an informational flyer on the Alaska ABLE Plan. The purpose of putting this flyer in the legislative packets is just a reminder to thank legislators for passing this bill, and to let them know that people are actually starting to open accounts and to spread the word.

## **2 Cents for Transit**

**Patrick Reinhart** explained to the Council members the concept of 2 Cents for Transit. The Governor currently has a proposal for an eight-cent addition to the fuel tax starting in July, with the following year seeing another eight cents, which will still be below the median for the country for a gas tax. Because the Council's and the SILC's beneficiaries are so dependent on community transportation services and transit programs, they are asking the legislature to consider adding one cent for each of the next two years, or two cents for transit to support community transit and public transportation programs. If the Legislature adds this one penny each year, it will be a little over \$4 million next year and up to \$8 million dollars the following year.

Council members engaged in a discussion regarding the legislature's ability to designate tax dollars for a specific purpose. **Dean Gates** suggested that they are not asking the legislature to direct the designation of the funds. They are just asking it to be part of the annual budgeting and appropriations process.

## **PREPARE FOR MEETINGS WITH LEGISLATORS**

Amanda Lofgren, from the Alaska Mental Health Trust Authority, spoke to the Council members about the DD system assessment. She stated that this has been an incredible opportunity to bring all of the advocacy groups together to talk about how to collectively go forward with the same message to present in a standard way. They were able to create a vision and values statement as well as an infographic that details the outcomes of the service delivery system. The vision is a collective vision about where they are going as a state and how they're going to get there. Furthermore, the vision should withstand administrative changes, because it is the philosophical principles that they believe the system has, and any changes to the system should be guided through that lens.

Amanda Lofgren reviewed the infographic with Council members, which highlights people being served by various programs within the state by region so legislators can see how these services impact their constituents. It also highlights direct service workers so that legislators get a sense of the economic impact home and community-based services make in their district. The infographic also visually depicts the road to helping individuals live meaningful lives and contains key data points and past accomplishments.

**Patrick Reinhart** then led Council members through the schedule of legislative visits.

**Art Delaune** reviewed the PowerPoint entitled, "Meeting with Your Legislator," to reinforce

some of the protocols previously discussed during this meeting as follows:

**Before the Meeting:**

- Make sure you have everything you need
- Find the team leader for the group
- Decide who will discuss each topic
- Arrive five to ten minutes early
- Check in with the legislator's staff.

**In the Meeting:**

- Introductions – mention if you live in their district; make a personal connection, if any; explain your involvement with the Council
- Give the legislative packet to the legislator
- Explain the issues – no more than five minutes per issue
- Afterwards ask for a group photo with the legislator
- Thank them for their time and support of the Council.

**Meeting Do's and Don'ts:**

- | <b>Do</b>  | <b>Don't</b>   |
|--|--|
| <ul style="list-style-type: none"><li>• Turn off your phone</li><li>• Stay on topic</li><li>• Watch your time</li><li>• Pay attention to the legislator and team members</li><li>• Take notes on things to follow up on</li><li>• Show appreciation.</li></ul> | <ul style="list-style-type: none"><li>• Bring up unrelated topics</li><li>• Speak too long</li><li>• Provide answers to questions you don't know</li><li>• Interrupt legislator or other group members</li><li>• Text/talk on the phone</li><li>• Argue with the legislator.</li></ul> |

**After the meeting:**

- All teams to the REACH art studio after the meeting to debrief
- Debrief with GCDSE staff member
- Complete the feedback form found in the packet and return to staff at debrief
- Text any photos with the legislator to **Kristin Vandagriff** to be posted to the GCDSE Facebook page.

**Patrick Reinhart** referred members of the Council to the booklet created by **Shelly Vendetti-Vuckovich** that tells the story of Claire and Athena as a powerful example of a personal story to share with legislators. **Shelly Vendetti-Vuckovich** told their story to Council members and noted that the booklet will be in the legislative packets. Council members are welcomed to share this story or tell a personal story of their own when speaking with legislators.

### **RECESS**

The business meeting recessed at 4:35 p.m. to hear public testimony followed by a showing of the documentary “Bottom Dollars.”

### **PUBLIC TESTIMONY**

Public testimony was heard, and a full transcript was prepared.

**GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL  
EDUCATION/STATEWIDE INDEPENDENT LIVING COUNCIL  
JOINT MEETING**

**QUARTERLY MEETING MINUTES**

**Wednesday, February 1, 2017  
Juneau, Alaska**

**Governor's Council Members Present**

Jill Burkert  
John Cannon  
Anthony Cravalho  
Sandra DeHart-Mayor  
Art Delaune  
Don Enoch  
Tamara Douglas for Dave Fleurant  
Dean Gates  
Jeanne Gerhardt-Cyrus  
Mallory Hamilton  
Maureen Harwood - telephonic  
Alexis Henning  
Elizabeth Joseph  
Christine King  
David Kohler  
Margaret Kossler  
Sara Kveum  
Banarsi Lal - telephonic  
Lelia (Lucy) Odden  
Amy Simpson – Chair  
Shelly Vendetti-Vuckovich  
Maggie Winston

**SILC Members Present**

Michael Christian, Chair  
Joan O'Keefe  
Tom Cyrus  
Richard Kiefer-O'Donnell  
Anthony Cravalho  
Rebecca Traylor  
Erin Atwood  
Lindsay Davison  
Velja Elstad  
Justine Fine

**SILC Staff:**

Heidi Frost, Executive Director

**Council Staff:**

Patrick Reinhart, Executive Director  
Kristin Vandagriff, Planner  
Christie Reinhardt, Program Coordinator II  
Ric Nelson, Program Coordinator I  
Lanny Mommson, Acting Research  
Analyst III  
Barbara Allen, Administrative Assistant II  
Ian Miner, Office Assistant II

CART Provided by Lenny DiPaolo, Peninsula Reporting  
Minutes Prepared by Paula DiPaolo, Peninsula Reporting

**Wednesday, February 1, 2017**  
**CALL TO ORDER/ROLL CALL – 8:30 a.m.**

**ANNOUNCEMENTS AND RECOGNITION OF GUESTS**

**Chair Simpson** welcomed the members of the Statewide Independent Living Council to this joint meeting of the councils. She reviewed some adjustments to today's agenda, and members of both councils and guests introduced themselves.

**DHSS – DIVISION OF SENIOR AND DISABILITIES SERVICES**

Duane Mayes, director of the Division of Senior and Disabilities Services (SDS), provided an overview of current efforts underway in the division.

**Harmony System**

Duane Mayes stated they are installing a new data management system called Harmony from the national Mediware organization to replace the DS-3 system currently used by the division. The Harmony system will go live at the end of June of this year, and providers will be able to enter the system through a portal to submit their plans of care.

**Community First Choice – 1915(k)**

Duane Mayes stated that the 1915(k) efforts are part of the larger Medicaid Reform efforts happening within the state. 1915(k) will cover services that apply to activities of daily living and instrumental activities of daily living, will elevate the use of technology, emergency back-up systems, and supervision and cueing for the senior population. 1915(k) is going to go live this summer, and of the 4,000 current recipients of PCA services, 1,600 people that meet institutional level of care will be transitioned to this option so the State is able to draw down an additional six percent federal match. SDS has been approved for two more positions to implement this option, and the Trust will be providing four non-perm positions that they can use for the next three years as they move forward.

**1915(c) Supports Waiver**

Duane Mayes stated that the 1915(c) limited supports waiver is going to go live in January of next year. Half of the funds that are currently with the CDDG will be going away with the intent that they will be replaced with the supports waiver so the State can draw down a 50 percent match. This program will allow the State to cap services and create a waitlist, which are valuable tools to help the State manage the waiver and remain budget neutral.

As SDS is digging into the current CDDG program to collect data on current users of the program, they have discovered that some individuals on the CDDG are over income for the waiver, which can be corrected. They have also determined that there are others who qualify for the waiver, but have chosen not to pursue that option because they like the comfort of grants.



SDS will ensure that that small percent of individuals receiving group home types of grant services will transfer from grants to the waiver.

### **Employment**

Duane Mayes stated that the division is also looking to enhance and elevate their employment component, which will drop their costs as more people with disabilities become employed in the market.

### **Traumatic Brain Injury (TBI)**

Duane Mayes stated that SDS is intending to address traumatic brain injury. The Alaska Brain Injury Network will be doing targeted case management, which SDS believes will be a vehicle to help to better document the numbers of individuals that have TBI within the system.

### **Alzheimer's Disease and Related Dementia (ADRD)**

Duane Mayes stated that the 1915(i) option is still on the table for the ADRD population. The division's number one priority is to be able to serve the ADRD population going forward. The numbers are growing dramatically, so the division needs to address it.

### **Dual Diagnosis – Behavioral Issues**

Duane Mayes stated that another big problem in the state is providers' ability to serve individuals with challenging behaviors. Oftentimes these individuals end up in API or out of state in institutions. To address this population, there have been discussions about amending the existing waiver to develop two highly specialized types of supports for those individuals.

### **Efficiencies**

Duane Mayes shared some successes the division, along with its partners, has had in creating efficiencies as follows:

- Aging and Disability Resource Center pilot project for pre-screening to right-size services has resulted in a \$3 million plus reduction in costs to SDS. Funding from the Trust has been provided to expand this project to other parts of the state.
- Technology expansion through the Technology Workgroup to address technology for home and community-based services.
- Pre-Admissions Screening Registry Review (PASRR) is for individuals that meet nursing home level of care that have an intellectual and developmental disability that want nursing home care. Processes and policies have been developed around PASRR to manage it effectively. This will be a big issue moving forward, particularly because Alaska is an aging state, and a large percentage of those aging are people with intellectual and developmental disabilities.

DHSS Deputy Commissioner Jon Sherwood stated that it is a busy time for the Department right

now as they are in the middle of their budget process. He stated that they have been hard at work on Medicaid Redesign since the passage of SB 74, and it has given the Department the flexibility and opportunity to do some things they have wanted to do for a while.

Deputy Commissioner Sherwood stated that in terms of the budget, the message they want to get across the legislature is that a sustainable fiscal plan is the number one priority for the Department. He also stated that the director of OMB will convene a broad-based panel to look at healthcare costs across the state, not just in the Medicaid program.

In terms of the repeal of the Affordable Care Act, Deputy Commissioner Sherwood stated that the Department continues to share their concerns with the Congressional delegation about the potential impacts to the state of Alaska in terms of Medicaid funding and tribal health.

Deputy Commissioner Sherwood also thanked the councils for the opportunities for education and collaboration, and he and Duane Mayes concluded their presentation after fielding questions and comments from members of the councils.

### **DEPARTMENT OF EDUCATION AND EARLY DEVELOPMENT**

Commissioner Michael Johnson introduced himself and gave some background information to explain his particular interest in special education to members of the councils. He thanked members of the councils for the time and effort they put into conforming policy in the state. He stated that any movement of the public education system going forward cannot happen without consideration of our students with disabilities.

Commissioner Michael Johnson discussed the Governors Alaska's Education Challenge, which is the need to rethink the entire system of public education in the state. He noted that over the last couple decades, there have been a lot of well-meaning efforts to address issues and concerns in the public education system, but they have never taken a comprehensive approach to the entire system. He feels fortunate to be a commissioner at this time when it seems like many people are willing to sit down at the table and think about doing things differently. He believes they have a great opportunity because of the current circumstances in the state to rethink the system for those students who may not be getting a great education because the system may be lacking.

A survey will be coming out related to Alaska's Education Challenge, and Commissioner Johnson encouraged members of the councils to share this survey with their constituencies to ensure that the work of the Department is informed.

Commissioner Johnson stated that the only education-related bill he is aware of is one regarding the dyslexia task force. He noted that the Department hasn't been asked to participate in that conversation as of yet, so he doesn't know much about it at this point.

In terms of the budget, Commissioner Johnson stated that there does not seem to be any support in the House for cuts to education. In the Senate, there are proposals being considered for some significant cuts, so obviously those two bodies will have to come together, and the Department will be monitoring that closely.

Commissioner Johnson fielded questions and comments from members of the councils and concluded his presentation.

### **ALASKA MENTAL HEALTH TRUST AUTHORITY**

Greg Jones, interim CEO of the Alaska Mental Health Trust Authority, and Jeff Jessee, legislative liaison for the Trust, presented to the councils.

Greg Jones stated that the Trust's agenda has been extremely busy because in addition to their normal workflow, they have been working on programs regarding Medicaid Reform, Justice Reform, API, and the Health Information Network, as well as a number of seasonal and one-time projects that are very significant. The most significant seasonal project right now is the legislative session, which will be focused on the defense of Medicaid Reform and expansion and the disability justice legislation from last year as well as the normal mental health budget, a proposed alcohol tax, Title IV reform, and a land trade involving the Trust Land Office that would require legislation.

Jeff Jessee stated that the Trust hopes that the legislature will give the Medicaid Reform process time to work because the Department is working very hard at implementing SB 74. This task has not been made any easier by the upcoming Medicaid changes on a national level, which will have a lot of impact on what happens at the state level.

Jeff Jessee stated that there will be a bill to make some modifications to SB 91, the Criminal Justice Reform bill from last year. Another issue will also be the alcohol tax framework in Title IV.

Greg Jones reported that the Governor has appointed a new Trustee, retired judge Christopher Cooke, to fill the seat vacated by Larry Norene. The Trust is looking forward to a newly constituted board as soon as they can get confirmation from the legislature. He stated that the Trust is also preparing for a legislative audit, which is hopefully a one-time operation brought on by concerns over the investment principle. In the process of preparing for the audit, they're also working with the attorney general's office to define any legal issues and amend any statutes so the Trust can comply with what they are required to do, which is to manage their property and fulfill their mission.

Greg Jones stated that they are also working very hard on repairing their relationship their beneficiary boards. They had a very productive workshop last week in Juneau, which was a huge step forward. The Trust will continue to communicate with the advisory boards to get their feedback as they develop statute amendments. He stated they are preparing to launch an organizational review process that involves developing a scope of services. They are looking for a facilitator or consultant to help with that and will, again, coordinate with the advisory boards in terms of evaluating the organizational chart they are contemplating.

Greg Jones stated that the Trust is in the middle of recruiting for a chief financial officer. This will be a fairly intensive interview process, and they would like to have someone hired in that

position within the next 30 to 60 days. They're also preparing to start recruiting for a CEO. They have just finished drafting the first draft of the CEO job description. When the final draft is ready, they will send it out to the advisory boards to provide feedback. This will be a national search for a new CEO, and they anticipate it will be very time-consuming this spring.

Greg Jones stated that the Trust Land Office is doing a statewide land sale this year, which takes a lot of logistics and planning work.

Amanda Lofgren stated that she has been working with SDS, the Governor's Council, and the Center for Human Development on the National Core Indicators. The National Core Indicators are standard measures that are used across states in the nation, and up until last year, all states except seven were participating in that. The purpose is to measure the outcomes of the services that individuals receive from their and their families' perspectives. Alaska participated in the NCI this year for families and guardians, and the report was just released yesterday, so they will be working to determine a communication plan to get that information out to the public. The plan next year is that they will be doing the adult survey. Gathering this data will be very important for the DD system as they move forward to be able to articulate how services are really helping individuals move towards a meaningful life.

Amanda Lofgren stated that the Trust has also been working collectively with the Governor's Council as well as AADD and other partners on the DD systems assessment, which was discussed earlier in this meeting.

The Trust representatives fielded questions from members of the councils and concluded their presentation.

### **ADVOCACY UPDATES FROM PARTNERS**

#### **Key Coalition**

Millie Ryan, president of Key Coalition, shared the following priorities of the Key Campaign for this year:

- Educate legislators about who people with intellectual and developmental disabilities are and the contribution they make to the community. They will also touch on the need to get people into services as quickly as possible.
- Educate legislators on the importance and benefits of home and community-based services.
- Highlighting some of the positive outcomes of the partnership between the legislature and Key Coalition over the 30 years of Key Coalition's existence.
- The Key Coalition supports the same bills the councils will be supporting this year.

Millie Ryan stated that Key Campaign will be March 2<sup>nd</sup> through the 3<sup>rd</sup>, with the Unity Dinner the evening of the 2<sup>nd</sup>. They will dedicate some time during the Unity Dinner to honor Steve Lesko, one of the co-founders of the Key Coalition who passed away last year.

David Parish spoke to the councils about the current budget climate within the state, and noted that with the change in the makeup of the legislature, he is optimistic about the development of a long-term fiscal plan.

### **Infant Learning Program (ILP)**

**Maureen Harwood** discussed ILP's successful move from OCS to SDS. She noted that taking on this position within SDS has been very rewarding, and SDS is honored that the program is under them.

She stated that under SDS, ILP filed their first federal report, which contained detailed information about the extensive work performed by the infant learning providers across the state. They have presented this information to the Governor's Council already, and they will be sharing this report with the providers as well. ILP also continues to work on the SSIP along with their providers.

**Maureen Harwood** stated that ILP is also in the process of applying for their Part C funds. The application will be online, and SDS will send out alerts for public comment related to that application.

**Maureen Harwood** stated that ILP continues to collaborate with their partners that support families with children birth to 3. She stated that ILP, along with the Governor's Council, continues to work to ensure ILP has highly qualified staff. ILP also continues to strengthen their relationship with Part B to ensure an appropriate transition for infants into the education system.

### **Alaska Association of Developmental Disabilities (AADD)**

Rick Driscoll, board member for AADD, stated that AADD was founded over 30 years ago to unify the voice of providers to share, develop, and advocate for individualized community-based services for people who experience developmental disabilities. They are the largest network of agencies serving the community members who experience developmental disabilities in Alaska, and their goal is to formulate strategic alliances between providers, national associations, the State of Alaska, the Governor's Council, the people they serve, and their communities. They currently have over 40 providers in the association.

Accomplishments of AADD since the last Governor's Council meeting:

- Lynne Seagle came to Alaska to facilitate a variety of workshops for the providers of AADD and stakeholders.
- Worked with the Alaska Mental Health Trust Authority to begin the concept of completing a DD systems assessment.

Rick Driscoll stated that the next AADD meeting will be on March 1<sup>st</sup> to coincide with Key.

## **Alaska Mobility Coalition (AMC)**

John Kern, executive director for AMC, provided the councils an overview of his 30-year employment history in transportation services in Alaska. He stated that AMC is a unique organization in that what they've tried to do is bring both the operators of transportation services together with many of the human services agencies in the state, because they all share a common funding source in many ways.

John Kern stated that one of the ways they would like to focus the AMC is working on their funding and their relationship with the state transit office, and then utilizing that funding to the best advantage of all persons receiving services throughout the state.

### **Activities of the AMC:**

- E-mail newsletter that goes out to members monthly
- Website and Facebook page
- Outreach to transportation providers across the state to determine needs and provide technical assistance and mentoring
- Organize the efforts of the AMC members to affect the state and national decision makers and legislation
- Assist the AMC members in identifying funding sources, grant writing, and administration
- Operating and maintaining information
- Attempt to find answers and information sources to allow AMC members to safely and efficiently operate.

## **Statewide Independent Living Council (SILC)**

Heidi Frost thanked the Governor's Council for this opportunity to hold a joint meeting. She stated that the SILC is a cross-disability group that works with Centers for Independent Living to increase independence and community engagement of people with disabilities. The SILC has 13 members that represent different geographic areas, ages, and disabilities. The SILC works with Boards and Commissions to ensure their membership is as diverse as possible, and they have a federal mandate that half the board and half of the staff be people with disabilities. The job of the SILC is to develop, monitor, and evaluate the State Plan for Independent Living (SPIL).

Heidi Frost stated that the areas of the SPIL that they work on include housing, transportation, assistive technology and durable medical goods, employment, ADA awareness, emergency preparedness, healthcare, training of independent living staff, and outreach about the independent living philosophy.

Heidi Frost stated that the SILC has a federal mandate to meet regularly and in various regions of the state. The SILC tries to partner with as many different agencies and organizations as they can because they are a very small board with a small staff, so many of their accomplishments are done in partnership with other entities.

Heidi Frost stated that was one of the new opportunities the SILC has is through the Workforce

Investment and Opportunities Act, and the SILC now has the ability to do resource development, which will help them to expand a little bit more.

Some of the special projects the SILC has been involved in include:

- ASPEN
- Alaska APSE
- Durable medical equipment reuse and recycle
- Emergency preparedness
- Accessible taxicabs with the Community and Public Transportation Advisory Group.
- Disability Advisory Group for emergency management personnel
- IL Conference for independent living staff will be held February 17<sup>th</sup> and 18<sup>th</sup>
- Continued support for the Alaska Mobility Coalition.

### **Special Education Service Agency (SESA)**

Patrick Pillai, executive director of SESA, presented the FY'16 SESA performance summary as follows:

- 336 students served
- 9.12 specialists (3 specialist vacancies filled in FY'17)
- 4.63 support staff
- .56 administrators (.44 FTE is allocated to grants)
- Pupil specialist ratio – 36.84
- Average per pupil expenditure - \$8,425
- Adjusted per pupil expenditure - \$7,198
- Adjusted expenditure plus trainings - \$4,305
- Number of students served per program:
  - Autism – 101
  - Multiple disabilities – 118
  - Emotional disturbances – 55
  - Vision impairment – 11
  - Hearing impairment – 32
  - Deaf/blind - 19
- 1,173 mission-centric activities for FY'16
- 498 mission-centric activities provided via distance education
- 220 trainings
- 384 student service reports written and sent to school districts
- 48 districts provided service
- 14,720 service participants (includes individuals served on more than one consultation)

Latest SESA innovations:

- Online service referral packet
- Fully automated management system to track document compliance using FileMaker Pro

- E-modules created using Articulate software.
- SESA staff are presenting at ASSEC 2017
- SESA organized autism trainings for district staff in various rural locations
- Assistive technology training for district staff at SESA conducted by Jennifer Schroeder
- PBIS-ILP workshop for rural districts – Anchorage Hilton Garden Inn, January 2017.

**Patrick Reinhart** recognized the following SESA board members: **Christine King, Maggie Winston, Jeanne Gerhardt-Cyrus, Anthony Cravalho, Jill Burkert, and Don Enoch.**

### **Alaska Commission on Aging (ACoA)**

Denise Daniello, executive director of ACoA, stated that the mission of ACoA is to plan, educate, and advocate on behalf of all Alaskans age 60 years and older and their families and caregivers so that seniors will be able to receive the services they need to live and contribute to the communities and their families for as long as possible. She noted that seniors contribute more than \$3 billion to the state economy.

Denise Daniello stated that the priorities of ACoA are very similar to the Governor's Council's and the SILC's priorities because they share a lot in common, particularly as the population of people with developmental disabilities and their caregivers age. The legislative priorities for ACoA are as follows:

- Protect the senior safety net such as senior meals, transportation, homemaker services, personal care assistance services, the waiver program, and Medicaid adult dental. The Alaskans Living Independently waiver saves the state more than \$171 million annually in unnecessary nursing home care costs.
- Provide support for family caregivers. There are almost 85,000 caregivers in Alaska, and the value of this care is estimated to be more than \$1 billion. It's important that families get the supports they need to continue to provide this care, otherwise the alternative is the most expensive form of care, nursing home care.
- Improve Alaska's capacity to serve people with Alzheimer's disease and related dementia, potentially through the Medicaid State Plan Option 1915(i).

Denise Daniello stated that ACoA's meeting is next week, and this will be a coordinated legislative meeting with AgeNet. She noted that ACoA also sponsors every other week legislative advocacy teleconferences where they talk about bills of interest to seniors, and she encouraged the council members to join them for those.

### **Disability Law Center of Alaska (DLC)**

Tamara Douglas referred members of the councils to the DLC report in the binder and noted that it contains DLC's legislative priorities for this year.

In addition to the written the airport, Tamara Douglas thanked members of the councils for attending the Bottom Dollars documentary showing. She noted that they will also be showing this documentary at ASSEC, Key Campaign, and possibly at the Full Lives Conference.



Tamara Douglas stated that DLC is working on some voter issues, and they are attending the Anchorage municipal election stakeholder meetings to ensure there is accessible voting for everybody that wants to vote. They have also recently been in the news for a sidewalk project in Anchorage. They are currently collecting data in Anchorage to try to improve access to sidewalks and bus stops for everybody.

**Christie Reinhardt** thanked the DLC for their continued efforts regarding the implementation of the restraint and seclusion legislation that passed a couple of years ago.

### **Division of Vocational Rehabilitation (DVR)**

**John Cannon**, director of DVR, stated that the current hiring freeze in the state has been a challenge for them, but they have been able to fill most of their vacant positions. He stated that DVR is hoping for a maintenance budget in FY'18, and he reminded the councils that DVR is 70 percent federally funded and about 30 percent state funded.

**John Cannon** stated that he was really moved by the Bottom Dollars documentary shown last night because it represents a significant milestone and objective for Americans with disabilities. He commented that Alaska is way ahead of most states in the Lower 48 in terms of paying subminimum wages. DVR currently has an active role in monitoring and dealing with this issue because of the new regulations and the Workforce Investment and Opportunities Act. There are six 14 C certificate holders in Alaska, and DVR has been in touch with each of those employers. Based on the initial interaction with the six certificate holders, there are a total of about 34 individuals that are receiving subminimum wage. Currently, four of the six organizations have developed timelines for when they plan to end subminimum wage as employers, which leaves only two organizations for DVR to assist.

**John Cannon** stated that the State Vocational Rehabilitation Committee (SVRC) met January 10<sup>th</sup> through 12<sup>th</sup> in Anchorage. One of the days was a day of assistive technology, as this committee is responsible for the assistive technology grant for Alaska. SVRC is looking forward to working with the Governor's Council next year during Disability Employment Awareness Month and presenting the small and large employers awards.

### **Stone Soup Group**

Mary Elam, executive director of Stone Soup Group, stated that they will be hosting Wrightslaw Training March 24 and 25<sup>th</sup> at Cuddy Hall at UAA. Some of their sponsors for this training include the Governor's Council, the Trust, and SESA. Registration is currently open, and there are opportunities for continuing education credits. UAA College of Education is also offering a 500-level credit for participating in this training.

Mary Elam stated that on February 15<sup>th</sup>, they will be having a teleconference meeting at Stone Soup Group that will be available statewide regarding the partnership with DEED and barriers to graduation for students that have disabilities.

### **FINAL THOUGHTS AND ADJOURN/RECESS**

**Patrick Reinhart** distributed the talking points on the councils' 2 Cents for Transit position.

**Lucy Odden MOVED** to adjourn the Governor's Council meeting, **SECONDED** by **Jeanne Gerhardt-Cyrus**. Hearing no objection, the motion **PASSED**, and the meeting of the Governor's Council on Disabilities and Special Education adjourned at 11:59 a.m.

The meeting was recessed for the Statewide Independent Living Council at 11:59 a.m.

### **Thursday, February 2, 2017**

Governor's Council on Disabilities and Special Education and Statewide Independent Living Council members attended visits with legislators. No official meeting was convened.